

## Tennessee Board of Medical Examiners Development Committee Monday July 19, 2021

## **MINUTES**

The Development Committee meeting of the Tennessee Board of Medical Examiners was called to order at 4:06 p.m. in the Poplar Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Dr. Stephen Loyd, Committee Chair.

Committee members present Stephen Loyd, MD, Committee Chair

Melanie Blake, MD W. Reeves Johnson, MD Neal Beckford, MD

Deborah Christiansen, MD (by phone) Mr. Robert Ellis, Consumer Member

Staff present: Rene Saunders, MD, Medical Consultant, BME

Angela Lawrence, BME Executive Director Francine Baca-Chavez, Deputy General Counsel

The meeting was called to order by Dr. Loyd with a roll call of members and staff present. Having determined a quorum with five of the six members present including Dr. Christiansen joining by phone, Dr. Loyd opened the meeting with the first agenda item regarding the Sexual Misconduct Policy. Dr. Saunders opened the discussion recapping the previous discussion as to whether the policy is fine the way it is or if broadening the language to include covering others such as office staff, coworkers, and family members of patients. Ms. Baca-Chavez also mention the language of the ethics code of the AMA also offering the extension of covering others aside from patients used in reviewing cases. The Committee reviewed the FSMB policy as well as the AME code of ethics. There was also discussion of requiring a CME requirement concerning sexual misconduct. After a lengthy discussion Dr. Beckford made a motion have Dr. Loyd, Dr. Baron and Mr. David Silvus to work on updating the current policy and present a working draft to the Committee for consideration. Mr. Ellis seconded the motion and the motion passed. The second agenda item was to discuss and act regarding the minimum discipline for improper prescribing. Dr. Loyd mentioned that he was planning to get with Dr. Hale to obtain information from the initial group that worked on the Minimum Discipline guidelines. He asked if that group could reconvene and what came out of that group discussion? Ms. Baca-Chavez informed the Committee that a change to the current minimum discipline for opioid prescribing rule 0880-02-.25 cannot be changed because the statue required a taskforce comprised of member representation from all prescribing Boards to be created to develop these rules. Once the rules were adopted by all prescribing Boards, the taskforce dissolved. Ms. Baca-Chavez also reminded the Committee of a previous discussion in developing a grid or some informative sheet to assist in discipline in cases of improper prescribing. Dr. Loyd asked if we could include this as an agenda item for the next meeting allowing more time to review the current rule and

bring back before this Committee for discussion possible other aggravating facts that the Board could consider when looking to go above the minimum discipline guidelines.

The third agenda item was to discuss and act regarding competency questions on the Special Volunteer application. Dr. Blake provided an overview which came up from an individual wanting to abbreviate or bypass some of the requirements of the application when applying for s Special Volunteer license. The requirements are straight forward cannot be changed or abbreviated. Dr. Saunders provided an explanation of the pathways to apply for a Special Volunteer by those that have not been previously licensed in Tennessee and those that have. The Committee reviewed the Special Volunteer application and noticed the competency questions do not mirror the changes the Board made to the full medical license application. After a discussion the Committee ask the administrative staff to investigate updating the questions to mirror the initial full medical license application and to check that all other initial applications mirror the same language.

The fourth and final agenda item was to discuss and act regarding CMEs for voluntary service. Dr. Blake informed the Committee that we are waiting on more information on this subject matter. A new statue 63.6.712 was developed and TMA is currently developing a process that could verify CME for volunteer services.

There was no public comment and the meeting adjourned at 5:54 pm.